IAP7 Rec'd PCT/PTO 15 AUG 2006'

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEYS DOCKET NUMBER FORM PTO-1390 (REV 07-06) 09728.0389USWO TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 PRIORITY DATE CLAIMED INTERNATIONAL FILING DATE INTERNATIONAL APPLICATION NO. February 18, 2005 February 20, 2004 PCT/IB2005/00411 TITLE OF INVENTION A METHOD FOR MEASURING PROPERTIES OF PARTICLES BY MEANS OF INTERFERENCE FRINGE ANALYSIS AND CORRESPONDING APPARATUS APPLICANT(S) FOR DO/EO/US GIGLIO et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: [X] This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. [X] This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay 3. examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l). A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 4. [X] A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is transmitted herewith (required only if not transmitted by the International Bureau). a. [ ] [X] has been transmitted by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US) A translation of the International Application into English (35 U.S.C. 371(c)(2)). 6. ſ [X] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are transmitted herewith (required only if not transmitted by the International Bureau). have been transmitted by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. [X] have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). [X] An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11: to 20. below concern document(s) or information included: 11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form 1449 and 5 References. 12. [ ] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. [X] A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment. An Application Data Sheet under 37 CFR 1.76. 14. [X] 15. [ ] A substitute specification. A change of power of attorney and/or address letter. 16. [ ] 17. [ ] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. [ ] A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. [ ] A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. [X] Other items or information: 2 Sheets of Formal Drawings, International Publication WO 2005/083389 A1, Form PCT/RO/101, Form PCT/ISA/210, Form PCT/ISA/237, Form PCT/IB/308

Secretario   Sec	<b>.</b>	<u>-</u>			<u> </u>	IAP6 Re	c'd PCT/PTO 15	AUG 2006			
BASIC NATIONAL FEE OF CFR 1492(a) (1)(95): [X] b) Basic National fee (37 CFR 1492(b))			•	09728.0389USWO							
if the written apinion prepared by ISAUIS or the international preliminary examination report perpared by IPEAUS indicates all claims satisfy provisions of PCT Article 33(1)-(4)50  All other situations	BASIC NATION	IAL FE	EE (37 CFR 1.4	\$300.00							
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$150.00	[X] b) Examination	on fee (3	37 CFR 1.492(	c))			\$200.00	<del></del>			
All other siluations	If the written opin	ion pre	pared by ISA/L	JS or the int							
Search fee (37 CFR 1.492(b))   Search fee (37 CFR 1.494(c))   Search fee (37 CFR 1.445(c)/21) has been paid on the international application to the USPTO as an International Search (see (37 CFR 1.445(c)/22)) has been paid on the international application to the USPTO as an International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the USP of Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the USP of Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the USP of Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the USP of Search Report prepared by ISB of Search Report Prepared IsB of	l''										
If the written opinion of the ISA/US or the international preliminary examination export prepared by PEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)50  Search fee (37 CFR 1.445(a)(23)) has been paid on the international application to the USPTO as an International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB						\$200.00	\$400.00				
International Searching Authority.  International Searching Authority.  International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB	If the written opin	ion of t	he ISA/US or t	he internations satisfy pro	onal preliminary examinat ovisions of PCT Article 33	ion report 3(1)-(4)\$0					
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 or fraction thereof (round up to a whole number).  Total Sheets   Extra Sheets   Number of each additional 50 or fraction thereof (round up to a whole number).   X \$250.00   S0.00    Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30   S0.00    CLAIMS   NUMBER FILED   NUMBER EXTRA   RATE    Independent claims   25   -20   5   X \$50.00    MULTIPLE DEPENDENT CLAIM(S) (if applicable)   + \$360.00    MULTIPLE DEPENDENT CLAIM(S) (if applicable)   + \$360.00    MULTIPLE DEPENDENT CLAIM(S) (if applicable)   + \$360.00    TOTAL OF ABOVE CALCULATIONS = \$1150.00    Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed promises from the carliest claimed priority date (37 CFR 1.492(f)).   + \$0.00    TOTAL OF ABOVE CALCULATIONS = \$575.00    SUBTOTAL = \$575.00    Focessing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30    months from the carliest claimed priority date (37 CFR 1.492(f)).   + \$0.00    TOTAL NATIONAL FEE = \$575.00    For filing by small entity, if applicable   + \$0.00    TOTAL NATIONAL FEE = \$575.00    For each of \$130.00 for furnishing the English translation later than [] 20 [] 30    months from the carliest claimed priority date (37 CFR 1.492(f)).   + \$0.00    TOTAL NATIONAL FEE = \$575.00    For each of \$130.00 for furnishing the English translation later than [] 20 [] 30    months from the carliest claimed priority date (37 CFR 1.492(f)).   + \$0.00    TOTAL NATIONAL FEE = \$0.00    TOTAL FEES ENCLOSED = \$575.00    For each of \$130.00 for furnishing the English translation later than [] 20 [] 30    months from the carliest claimed priority date (37 CFR 1.494 or 1.495 has not been met, a pertition to revive (37 CFR 1.197(f) or (70)) must be filed and granted to restore the application to pending status.  SEND ALCORR											
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Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  CLAIMS NUMBER FILED NUMBER EXTRA RATE  Total claims 25 -20 = 5 X\$50.00 \$2250.00   Independent claims 1 -3 = 0 X\$200.00 \$0.00   MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$366.00 \$0.00    MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$366.00 \$0.00    TOTAL OF ABOVE CALCULATIONS = \$1150.00    Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27    SUBTOTAL = \$575.00    SUBTOTAL = \$575.00    Focessing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$0.00    TOTAL FEES ENCLOSED = \$575.00    TOTAL FEES ENCLOSED = \$575.00    Amount to be refunded: \$0.00    charged \$0.00    charged \$0.00    TOTAL Charged \$0.00    TOTAL PRESSION (S) in the amount of \$575.00 to cover the above fees is enclosed.  b. [] Please charge my Deposit Account No. ]3-2725.  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  SIGNATURE: AMAME: Gregony A.Sebald MERCHANT & GOULD    P.O. Box 2903	30 -100=	0	/50 =		whole hamber	X \$250.00	\$0.00				
months from the earliest claimed priority date (37 CFR 1.492(c)).  CLAIMS  NUMBER FILED  NUMBER EXTRA  RATE  Total claims  25				oath or decl	laration later than [ 1 20 [		ļ- <u></u>				
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Independent claims 1 -3 = 0 X \$200.00 \$0.00    MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00 \$0.00    TOTAL OF ABOVE CALCULATIONS = \$1150.00    Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27    SUBTOTAL = \$575.00    Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30    months from the earliest claimed priority date (37 CFR 1.492(f). + \$0.00    TOTAL NATIONAL FEE = \$575.00    Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$0.00    TOTAL FEES ENCLOSED = \$575.00    Amount to be refunded: \$0.00    charged   \$0.00    a. [X] Check(s) in the amount of \$575.00 to cover the above fees is enclosed.    b. [] Please charge my Deposit Account No	CLAIMS		NUMBER	FILED	NUMBER EXTRA	RATE					
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b. [] Please charge my Deposit Account No							charged	\$0.00			
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1.137(a) or (b)) must be filed and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  Gregory A. Sebald  MERCHANT & GOULD  P.O. Box 2903  SIGNATURE:  NAME: Gregory A. Sebald	overpayment to Deposit Account No. <u>13-2725</u> .										
Gregory A. Sebald  MERCHANT & GOULD  P.O. Box 2903  SIGNATURE:  NAME: Gregory A. Sebald	1.137(a) or (b)) must be filed and granted to restore the application to pending status.										
P.O. Box 2903 NAME: Gregory A. Sebald			TO:				C/2 /	////			
Minneapolis, MN 55402-0903 REGISTRATION NUMBER: 33,280			LD								
			02-0903	GISTRATION NUMBER:	33,280						

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE JAP6 Rec'd PCT/PTO 15 AUG 2006

Applicant:

**GIGLIO** 

Docket:

09728.0389USWO

Title:

A METHOD FOR MEASURING PROPERTIES OF PARTICLES BY MEANS OF INTERFERENCE FRINGE ANALYSIS AND CORRESPONDING APPARATUS

**CERTIFICATE UNDER 37 CFR 1.10**:

"Express Mail" mailing label number: EV 840126496 US

Date of Deposit: August 15, 2006

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for

Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

We are transmitting herewith the attached:

Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.

 National Stage PCT Patent Application of PCT/IB2005/000411: Spec. 22 pgs; 25 claims; Abstract 1 pgs. The fee has been calculated as shown below in the 'Claims as Filed' table.

2 sheets of formal drawings

Small entity status is claimed pursuant to 37 CFR 1.27

An unsigned Combined Declaration and Power of Attorney

A check in the amount of \$575.00 to cover the Filing Fee

☐ Information Disclosure Statement, Form 1449, 5 reference(s).

Application Data Sheet, 4 pages.

Form PCT 1390

Other: Preliminary Amendment, International Publication WO 2005/083389 A1, Form PCT/RO/101, Form PCT/ISA/210, Form PCT/ISA/237, Form PCT/IB/308

Return postcard

## **CLAIMS AS FILED**

Number of Claims Filed	No.	In Excess of		Extra		Rate		Fee
Total Claims	25	20		5		25.00	=	125.00
Independent Claims	1	3		0		100.00	=	0.00
Multiple Dependent Claims Fee								0.00
Basic Filing Fee								150.00
Search Fee								200.00
Examination Fee								100.00
Utility Application Size Fee	30	100		0		125.00	=	0.00
						•		
Total							=	575.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 612.332.5300

Name: Kregory A. Sebald

Reg. No.: 33,280

Initials: GAS/mkc

PATENT TRADEMARK OFFICE

(PTO TRANSMITTAL - NEW FILING)